



DRAFT ENVIRONMENTAL IMPACT STATEMENT AND DRAFT SECTION 4(f) EVALUATION

APPENDIX 25

Process, Agency Coordination, and Public Involvement

25-1: Hudson Tunnel Project Public/Agency Coordination Plan



DRAFT ENVIRONMENTAL IMPACT STATEMENT AND DRAFT SECTION 4(f) EVALUATION

APPENDIX 25-1

Hudson Tunnel Project Public/Agency Coordination Plan



Hudson Tunnel Project

PUBLIC/AGENCY COORDINATION PLAN

August 1, 2016

**Prepared by: Federal Railroad Administration, U.S. Department of Transportation
New Jersey Transit Corporation**

The Federal Railroad Administration (FRA) and the New Jersey Transit Corporation (NJ TRANSIT) have incorporated the comments on this public and agency coordination plan provided by participating and cooperating agencies to the Hudson Tunnel Project. Participating and cooperating agencies have concurred on the schedule presented herein.

FRA and NJ TRANSIT will document any further changes to this plan as a revision, and will re-distribute any such future revisions to all participating and cooperating agencies.

Table of Contents

Chapter 1: Introduction	1
1.1 Purpose of Coordination Plan	1
1.2 Project Overview	1
Chapter 2: Lead/Cooperating/Participating Agencies	4
2.1 List of Agencies, Roles, and Responsibilities.....	4
2.2 Agency Contact Information	6
Chapter 3: Coordination Points and Anticipated Completion Dates	8
Chapter 4: Agency Coordination and Public Involvement.....	10
4.1 Cooperating and Participating Agency Coordination	10
4.2 Section 106 Consultation	10
4.3 Section 4(f) Coordination	11
4.4 Environmental Justice Outreach	11
4.5 Limited English Proficiency (LEP) Outreach	12
4.6 Americans with Disabilities Act Compliance.....	13
4.7 Agency Involvement Activities	13
4.8 Public Involvement Activities	13
4.8.1 Communicating with the Public.....	14
4.8.2 Public Meetings	14
4.8.3 Stakeholder Involvement Activities	15
4.8.4 Project document Repositories	16
Chapter 5: Revision History.....	17
List of Tables	
Table 1: Lead and Invited Cooperating and Participating Agencies.....	5
Table 2: Cooperating and Participating Agencies: Primary Contacts	7
Table 3: Schedule of Key Milestone Dates.....	9
Table 4: Native American Tribal Governments Invited to Participate in the Coordination Process	11
Table 5: Project Document Repositories	166

Chapter 1:

Introduction

The Federal Railroad Administration (FRA) and NJ TRANSIT are preparing an Environmental Impact Statement (EIS) in accordance with the National Environmental Policy Act (NEPA) to evaluate the Hudson Tunnel Project (the “Proposed Action” or the “Project”). During the NEPA process and related permitting processes for the Project, FRA and NJ TRANSIT will follow the procedures required by 23 U.S. Code § 139, “Efficient Environmental Reviews for Project Decisionmaking.” That law identifies requirements for coordination with permitting and resource agencies that may have an interest in the Project as well as with the public.

This Public/Agency Coordination Plan has been developed to guide the Hudson Tunnel Project’s coordination activities with both the public and other interested, involved, cooperating and participating agencies through the duration of the NEPA environmental review and approval process.

1.1 PURPOSE OF COORDINATION PLAN

This coordination plan for the Hudson Tunnel Project, located in Hudson County, New Jersey, and New York County, New York, conforms to the requirements of the National Environmental Policy Act (NEPA) and specifically complies with the current Federal surface transportation law, Fixing America’s Surface Transportation Act (FAST Act) of 2015.

FAST Act carries forward requirements of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) and Moving Ahead for Progress in the 21st Century Act (MAP-21) that increase opportunities for the public and Federal, state, and local agencies to have active and early involvement in the NEPA process and to provide input on the project’s purpose and need, environmental study methodology, and alternatives under consideration. FAST Act also carries forward the mandate of a coordination plan for all highway, rail, and transit projects for which an EIS is being prepared under NEPA. Accordingly, the lead Federal agency (FRA) and the lead state agency (NJ TRANSIT) have prepared this coordination plan to describe the process and communication methods they will follow to disseminate information about the Hudson Tunnel Project, as well as to solicit and consider input from the public and other agencies.

The coordination plan will be in effect throughout the NEPA process, beginning with the issuance of the Notice of Intent (NOI) to prepare an EIS for the Project and ending with the Record of Decision (ROD). The plan is a flexible, “living” document that can be amended as needed during the Project NEPA process. Changes and updates to the plan will be documented in the “Revision History” section.

1.2 PROJECT OVERVIEW

The Project consists of construction of a new rail tunnel under the Hudson River, including railroad infrastructure in New Jersey and New York connecting the new rail tunnel to the existing Northeast Corridor (NEC), and rehabilitation of the existing NEC tunnel beneath the Hudson River.

The existing NEC Hudson River rail tunnel beneath the Hudson River is known as the North River Tunnel. This tunnel is used by Amtrak for intercity passenger rail service and by NJ TRANSIT for commuter rail service. The approach to the tunnel begins east of NJ TRANSIT’s Frank R. Lautenberg Station in Secaucus, New Jersey (which is 5 miles east of Amtrak and NJ TRANSIT’s Newark Penn Station). East of the Secaucus station, the NEC has two tracks that approach the tunnel on a raised embankment through the towns of Secaucus and North Bergen, New Jersey. Tracks enter a tunnel portal in North Bergen, passing beneath Union City and Weehawken, New Jersey and the Hudson River before

emerging within the Penn Station New York (PSNY) rail complex in New York City. The tunnel has two separate tubes, each accommodating a single track for electrically powered trains, and extends approximately 2.5 miles from the tunnel portal in North Bergen to PSNY.

Superstorm Sandy in October 2012 damaged the North River Tunnel and today the tunnel remains compromised. The North River Tunnel is currently safe for use by Amtrak and NJ TRANSIT trains traveling between New Jersey and New York City and beyond. However, it is in poor condition as a result of the storm damage and has required emergency maintenance that disrupts service for hundreds of thousands of rail passengers throughout the region. Despite the ongoing maintenance, the damage caused by the storm continues to degrade systems in the tunnel and can only be addressed through a comprehensive reconstruction of the tunnel.

The Proposed Action would rehabilitate the North River Tunnel without disrupting existing levels of train service, and provide redundant capacity for rail service crossing the Hudson River. To perform the needed rehabilitation in the existing North River Tunnel, each tube of the tunnel will need to be closed for more than a year. However, rehabilitation needs to be accomplished without unacceptable reductions in weekday service. Therefore, the Proposed Action would include construction of two new rail tubes beneath the Hudson River (the "Hudson Tunnel") that can maintain the existing level of train service while the damaged tubes are taken out of service one at a time for rehabilitation. If no new Hudson River rail crossing is provided, closing a tube of the tunnel for rehabilitation would substantially reduce the number of trains that could serve PSNY, because the single remaining tube would have to support two-way service. Once the North River Tunnel rehabilitation is complete, both the old and new tunnel will be in service, providing redundant capacity and increased operational flexibility for Amtrak and NJ TRANSIT.

The purpose of the Project, therefore, is to preserve the current functionality of Amtrak's NEC service and NJ TRANSIT's commuter rail service between New Jersey and PSNY by repairing the deteriorating North River Tunnel; and to strengthen the NEC's resiliency to provide reliable service by providing redundant capacity at the critical Hudson River crossing. These improvements must be achieved while maintaining uninterrupted commuter rail service from New Jersey as well as intercity NEC rail service.

The Project addresses the following critical needs:

- Improve the physical condition and rehabilitate the existing North River Tunnel;
- Preserve existing NEC capacity and functionality during rehabilitation of existing North River Tunnel; and
- Strengthen the NEC's resiliency to provide reliable service by providing redundant capacity at the critical Hudson River crossing to reduce commuter and intercity rail delays caused by unanticipated events or routine maintenance.

With these needs in mind, the agencies have developed the following goals for the Project:

- Improve service reliability and upgrade existing tunnel infrastructure;
- Maintain uninterrupted existing NEC service, capacity, and functionality by ensuring North River Tunnel rehabilitation occurs as soon as possible;
- Strengthen the NEC's resiliency to provide reliable service across the Hudson River crossing, facilitating long-term infrastructure maintenance and enhancing operational flexibility;
- Do not preclude future trans-Hudson rail capacity expansion projects; and
- Minimize impacts on the natural and built environment.

An NOI to prepare an EIS for this Project was published in the *Federal Register* on May 2, 2016 (electronic publication on April 28, 2016). An Environmental Impact Statement Scoping Document was also made available to the public on April 28, 2016, via the Project website (www.hudsonstunnelproject.com), the FRA website (<https://www.fra.dot.gov/eLib/Details/L17457>), and at 18 local document repositories in the municipalities in the Project study area (13 in New Jersey and 5 in New York City), which were also identified on the Project website (see Section 4.8.4, Project Document Repositories, Table 5, for a complete listing).

FRA will be coordinating with cooperating and participating agencies during development of the EIS pursuant to 23 USC 139. FRA will also coordinate with Federally recognized tribes and other consulting parties established pursuant to Section 106 of the National Historic Preservation Act.

Chapter 2: Lead/Cooperating/Participating Agencies

2.1 LIST OF AGENCIES, ROLES, AND RESPONSIBILITIES

For projects subject to NEPA, the lead agency(ies) is responsible for ensuring that the environmental review process is conducted properly and in accordance with all applicable environmental regulations. For this Project, the FRA is serving as Federal lead agency. Federal transportation legislation directs the lead agency to identify cooperating and participating agencies in its NEPA actions and to maintain an open line of communication with them as a project progresses.

According to Council on Environmental Quality (CEQ) regulations (40 CFR § 1508.5), “Cooperating agency” means any Federal agency, other than a lead agency, that has jurisdiction by law or special expertise with respect to any environmental impact involved in a proposed project or project alternative. A state or local agency of similar qualifications or a tribal government, when the effects are in areas of interest for the purpose of Section 106 consultation under the National Historic Preservation Act with a Federally recognized Native American tribe, may, by agreement with the lead agencies, also become a cooperating agency. CEQ regulations also state (40 CFR § 1501.6) that an agency may request cooperating agency status, if applicable.

Cooperating agencies have the responsibility to:

- Provide input on defining the project's purpose and need, the range of alternatives to be considered, and the methodologies and level of detail required in the alternatives analysis;
- Identify issues that could substantially delay or prevent granting of permit/approval;
- Participate in coordination meetings and joint field reviews;
- Provide timely review and comments on pre-draft or pre-final environmental documents; and
- Prepare mitigation recommendations.

“Participating agencies” are those Federal, state, or local agencies or Federally recognized tribal governmental organizations with an interest in the project. The standard for participating agency status is more encompassing than the standard for cooperating agency status. Therefore, cooperating agencies are, by definition, participating agencies, but not all participating agencies are cooperating agencies. As lead agency, the FRA considers the distinctions noted above in deciding whether to invite an agency to serve as a cooperating agency or as a participating agency.

The role of participating agencies is to:

- Provide input on defining the project's purpose and need, the range of alternatives to be considered, and the methodologies and level of detail required in the alternatives analysis;
- Participate in coordination meetings and joint field reviews, as appropriate;
- As requested by FRA, provide timely review and comments on certain pre-draft or pre-final environmental documents; and
- Provide timely comments on unresolved issues.

Cooperating agencies have a higher degree of authority, responsibility, and involvement in the environmental review process than participating agencies. A cooperating agency with jurisdiction may adopt an EIS without re-circulating the EIS as the lead agency when, after an independent review of the EIS, the cooperating agency concludes that its comments and suggestions have been satisfied. This provision is particularly important for permitting agencies that, as cooperating agencies, routinely adopt

environmental documents prepared by the U.S. Department of Transportation (USDOT). Cooperating agencies also share the responsibilities of participating agencies.

Both participating and cooperating agencies are and will continue to be consulted throughout the NEPA process to update them on the status of the Project and discuss areas of concern.

Table 1 lists the lead agencies as well as the agencies that have been invited to serve as cooperating or participating agencies for the Project, with their applicable area of jurisdiction or expertise. Any Federal agency that is invited by the lead agency to participate in the environmental review process for a project shall be designated as a participating agency by the lead agency unless it declines in writing; other agencies must accept in writing. FRA sent letters in early May, 2016, inviting agencies to be either cooperating or participating agencies and to participate in scoping for the Project; the invitations requested written responses by June 10, 2016. Based on comments received during the scoping comment period, several additional agencies were invited to be Participating Agencies. Table 1 reflects these additions.

Table 1
Lead Agencies and Invited Cooperating and Participating Agencies

Agency	Role	Accepted Invitation	Responsibilities
Lead Agencies			
Federal Railroad Administration (FRA)	Federal Lead Agency		Manage environmental review process; prepare EIS and decision document; provide opportunity for public and agency involvement; arbitrate and resolve issues
NJ TRANSIT	State Joint Lead Agency and Project Sponsor		Manage environmental review process; prepare EIS and decision document; provide opportunity for public and agency involvement; arbitrate and resolve issues
Federal Agencies			
Federal Transit Administration (FTA)	Cooperating Agency	Yes	Consultation related to NEPA
U.S. Army Corps of Engineers (USACE)	Cooperating Agency	Yes	Section 404, Clean Water Act permit Section 10, Rivers and Harbors Act permit
U.S. Coast Guard (USCG)	Participating Agency	Yes	Consultation related to navigational issues in the Hudson River
U.S. Department of Interior (USDO)	Participating Agency	No	Consultation related to Section 4(f) of the U.S. Department of Transportation Act
National Park Service (USDIO)	Participating Agency	No	Consultation related to Section 4(f)
U.S. Fish and Wildlife Service (USDO)	Participating Agency	Yes	Consultation related to NEPA; Section 404, Clean Water Act; and in accordance with Section 7, Endangered Species Act
U.S. Environmental Protection Agency (USEPA)	Participating Agency	Yes	Consultation related to NEPA; Section 309, Clean Air Act; and Section 404, Clean Water Act
NOAA National Marine Fisheries Service (NMFS)	Participating Agency	Yes	Consultation in accordance with Section 7, Endangered Species Act; Essential Fish Habitat, Magnuson-Stevens Fishery Conservation and Management Act; Section 10 permit, Section 404 permit
Federal Emergency Management Agency (FEMA), Federal Region II	Participating Agency	Yes	Consultation related to resilience and floodplain issues
U.S. Department of Homeland Security (DHS)	Participating Agency	Yes	Consultation related to security
Advisory Council on Historic Preservation (ACHP)	Participating Agency, possible Section 106 Consulting Party	Yes	Consultation related to Section 106 of the National Historic Preservation Act; possible participation in Section 106 process

Table 1 (cont'd)
Lead Agencies and Invited Cooperating and Participating Agencies

Agency	Role	Accepted Invitation	Responsibilities
State, Regional, and Local Agencies			
Metropolitan Transportation Authority (MTA)	Participating Agency	Yes	Consultation related to PSNY
New Jersey Department of Environmental Protection (NJDEP)	Participating Agency	Yes	Various permits and reviews
New York State Department of Environmental Conservation (NYSDEC)	Participating Agency	NA	Various permits and reviews
New York State Department of State (NYSDOS)	Participating Agency	No	Coastal zone consistency review
New Jersey State Historic Preservation Office (at NJDEP) (NJHPO)	Participating Agency; Section 106 consultation	Yes	Concurrence under Section 106, National Historic Preservation Act
New York State Historic Preservation Office (at New York State Office of Parks, Recreation and Historic Preservation) (NYSHPO)	Participating Agency; Section 106 consultation	Yes	Concurrence under Section 106, National Historic Preservation Act
Hudson River Park Trust (HRPT)	Participating Agency	Yes	Consultation related to impacts within Hudson River Park
New York State Department of Transportation (NYSDOT)	Participating Agency	Yes	Consultation related to impacts within Route 9A
New Jersey Department of Transportation (NJDOT)	Participating Agency	Yes	Consultation related to impacts on Routes 1 and 9
Port Authority of New York and New Jersey (PANYNJ)	Participating Agency	Yes	Assist in environmental review process
North Jersey Transportation Planning Authority (NJTPA)	Participating Agency	Yes	Consultation and review of air quality conformity determination
New York Metropolitan Transportation Council (NYMTC)	Participating Agency	Yes	NYMTC will participate in an advisory capacity Review of air quality conformity determination
New Jersey Sports and Exposition Authority	Participating Agency	Yes	Coordination related to impacts in the NJ Meadowlands
New York City Mayor's Office of Capital Project Development	Participating Agency	Yes	Consultation related to impacts in New York City
New York City Mayor's Office of Recovery and Resiliency (NYCORR)	Participating Agency	Yes	Consultation related to impacts in New York City
New York City Mayor's Office of Sustainability (NYCMOS)	Participating Agency	Yes	Consultation related to impacts in New York City
New York City Department of City Planning (NYCDCP)	Participating Agency	Yes	Consultation related to impacts in New York City
New York City Department of Environmental Protection (NYCDEP)	Participating Agency	No. NYCMOS will participate on their behalf	Consultation related to impacts in New York City
New York City Department of Transportation (NYCDOT)	Participating Agency	Yes	Consultation related to impacts in New York City
New York City Department of Parks and Recreation (NYCDPR)	Participating Agency	NA	Consultation related to impacts in New York City
Note:			
N/A: No response. Any Federal agency that is invited by the lead agency to participate in the environmental review process for a project shall be designated as a participating agency by the lead agency unless it declines in writing; other agencies must accept in writing.			

2.2 AGENCY CONTACT INFORMATION

Table 2 lists the primary point of contact for each of the cooperating and participating agencies for the Hudson Tunnel Project.

Table 2
Cooperating and Participating Agencies: Primary Contacts

Agency	Name	Address
Lead Agencies		
Federal Railroad Administration (FRA)	Rebecca Reyes-Alicia	Office of Railroad Policy & Development One Bowling Green, Suite 429, New York, NY 10004
	Amishi Castelli	
NJ TRANSIT	RJ Palladino	NJ TRANSIT Capital Planning One Penn Plaza East, 8th Floor, Newark, NJ 07105
	Jeremy Colangelo-Bryan	
Cooperating Agencies		
Federal Transit Administration (FTA), Region II	Donald Burns	One Bowling Green, Suite 429, New York, NY 10004
U.S. Army Corps of Engineers (USACE)	James Cannon	26 Federal Plaza, 19th Floor, New York, NY 10278
	Stephen A Ryba	
	Christopher S. Mallery	
	Rosita Miranda	
Participating Agencies: Federal Agencies		
U.S. Coast Guard	Jeff Yunker	212 Coast Guard Drive, Staten Island, NY 10305
U.S. Environmental Protection Agency	Lingard Knutson	290 Broadway, 25th Floor, New York, NY 10007
U.S. Fish and Wildlife Service	Steve Mars	Atlantic Professional Park, 4 East Jimmie Leeds Rd, Galloway, NJ 08205
NOAA National Marine Fisheries Service (NMFS)	Karen Greene	Greater Atlantic Regional Fisheries Office, Habitat Conservation Division, James J. Howard Marine Sciences Laboratory, 74 Magruder Rd, Highlands, NJ 07732
	Daniel Marrone	
Federal Emergency Management Agency, Region II	Michael Audin	26 Federal Plaza, Suite 1311, New York, NY 10278
U.S. Department of Homeland Security	Sarah Gambill	Mailstop 0075, 245 Murray Lane SW, Washington, DC 20528
Advisory Council on Historic Preservation	Chris Wilson	401 F Street NW, Suite 308, Washington, DC 20001
Participating Agencies: State, Regional, and Local Agencies		
Metropolitan Transportation Authority (MTA)	Jack Dean	2 Broadway, New York, NY 10004
New Jersey Department of Environmental Protection (NJDEP)	Ruth Foster	401 East State Street, P.O. Box 420, Mail Code 401-07J, Trenton, NJ 08625
NJHPO	Kate Marcopul	NJDEP, 501 East State Street, Mail Code 501-04B, PO Box 420, Trenton, NJ 08625
NYSHPO	Olivia Brazee	NYS Office of Parks, Recreation and Historic Preservation, Peebles Island State Park, P.O. Box 189, Waterford, NY 12188
Hudson River Park Trust	Noreen Doyle	Pier 40, 2nd Floor, 353 West Street, New York, N Y 10014
New York State Department of Transportation	Uchenna Madu	47-40 21st Street, Long Island City, NY 11101
New Jersey Department of Transportation	David Kuhn	P.O. Box 600, Trenton, NJ 08625
Port Authority of New York and New Jersey	Steven Plate	115 Broadway, 10th Floor, New York, NY 10006
North Jersey Transportation Planning Authority	Zenobia Fields	One Newark Center, 17th Floor, Newark, NJ 07102
New York Metropolitan Transportation Council	Gerry Bogacz	25 Beaver Street, Suite 201, New York, NY 10004
New Jersey Sports and Exposition Authority	Sara Sundell	One DeKorte Park Plaza, PO Box 640, Lyndhurst, NJ 07071
New York City Mayor's Office of Capital Project Development	Joshua Kraus	253 Broadway, 8th Floor, New York, NY 10007
New York City Mayor's Office of Recovery and Resiliency	Daniel Zarrilli	253 Broadway, 14th Floor, New York, NY 10007
New York City Mayor's Office of Sustainability	Esther Brunner, AICP	253 Broadway, 14th Floor, New York, NY 10007
New York City Department of City Planning	Robert Dobruskin	120 Broadway, 31st Floor, New York, NY 10271
	Carolyn Grossman	
New York City Department of Transportation	Karin Sommer	55 Water Street, 9th Floor, New York, NY 10041
New York City Department of Parks and Recreation	William Castro	Arsenal West, 24 West 61 st St, 5 th Floor, New York, NY 10023
	Colleen Alderson	

Chapter 3: Coordination Points and Anticipated Completion Dates

Timeframes and review periods for the Project's NEPA review have been established in accordance with the Council on Environmental Quality's (CEQ) regulations implementing NEPA (40 CFR parts 1500-1508), the FRA Procedures for Considering Environmental Impacts (FRA's Environmental Procedures) (64 FR 28545, May 26, 1999, as updated in 78 FR 2713, January 14, 2013), and 23 USC 139. The key coordination points are summarized below, and **Table 3** provides a schedule of key milestone dates.

- **Publish Notice of Intent (NOI):** The NOI was published in the Federal Register electronically on April 28, 2016, and in the print edition of the *Federal Register* on May 2, 2016.
- **Scoping:** The Scoping Document was made available on the Project website (www.hudsonstunnelproject.com) on April 28, 2016.

Although not specified in the regulations, scoping comment periods are customarily a minimum of 30 days. For this Project, the comment period extended until May 31, 2016; comments received after this date were also accepted.

Two scoping meetings were held in the Project area, one on May 17, 2016, in New York City and one on May 19, 2016, in Union City, NJ.

Notices inviting stakeholders and the public to the scoping meetings were sent to the Project mailing list, posted on the Project website, and placed in a number of repositories in the study area. Advertisements were run in local newspapers, including English language newspapers and Spanish language newspapers¹ (with Spanish language advertisements).

- **Invite Cooperating and Participating Agencies:** 23 USC 139 requires that within 45 days of the NOI (i.e., by June 16, 2016), FRA invite any other Federal and non-Federal agencies that may have an interest in the Project to become participating agencies in the Project.

Letters were distributed to the agencies listed in Table 1 above in May 2016 informing them about the initiation of NEPA, inviting them to attend the scoping meetings, and inviting them to serve as cooperating or participating agencies for the Project. Table 1 also includes additional agencies that were suggested, during the Scoping comment period, to be invited as participating agencies and who accepted the invitation.

- **Coordination Plan:** 23 USC 139 requires that within 90 days of the NOI (i.e., by August 1, 2016), a Coordination Plan for coordinating public and agency participation in and comment on the environmental review process for the Project be established by the lead agency.

This Coordination Plan has been prepared in conformance with 23 USC 139. As required, it details the plan for agency and public involvement for the Project, including the anticipated milestones for involvement. This Coordination Plan includes a proposed schedule for completion of the environmental review (see **Table 3**), and upon finalization, will have been established in consultation with and with the concurrence from each of the participating agencies for the Project. Once established, this environmental review schedule will be made available to the public and the participating agencies via the Permitting Dashboard for Federal Infrastructure projects, including any subsequent updates to the established schedule.

- **Ongoing Coordination with Agencies:** Following establishment of the Coordination Plan, regular outreach will be conducted with the Project's cooperating and participating agencies. This will include regular conference calls and/or e-newsletter updates (typically quarterly, or more frequently depending on

¹ Spanish is the second most spoken language in the Project study area, after English.

the level of Project activity) to keep them informed of Project progress. Cooperating and participating agency briefings will be coordinated with certain key milestones, as indicated in **Table 3** below.

Federal and state agencies with a permitting role for the Project will be provided an opportunity to comment on the following Project documents: the Purpose and Need as developed for the scoping process; Impact Assessment Methodology Reports; and preliminary DEIS and FEIS documentation. 23 USC 139(g)(2)(B) requires the lead agency to establish comment deadlines for agency comments at a maximum of 30 days from the date of availability, unless otherwise agreed to by the agencies.

- **Section 106 Coordination:** For this Project, outreach and consultation required under Section 106 of the National Historic Preservation Act will be conducted concurrently with the NEPA process. The approach for Section 106 coordination is discussed in Section 4, below.
- **Permitting:** Following completion of NEPA, the Project team will obtain the required permits for the Project. To expedite the schedule for completion of the Project, FRA and NJ TRANSIT wish to coordinate permitting with NEPA wherever possible.

Table 3
Schedule of Key Milestone Dates¹

Coordination Point	Anticipated Completion Date
Purpose and Need, Scoping, Development of Alternatives	Spring – Fall 2016
Scoping Document Available	April 28, 2016
Notice of Intent Published	May 2, 2016
Public Scoping Comment Period	April 28 through May 31, 2016
Public Scoping Meetings	May 17, 2016: NY May 19, 2016: NJ
Cooperating and Participating Agencies Invited	May 2016
Initiation of Section 106	May 2016
<i>Participating Agency Meeting re. Purpose and Need and Scope</i>	June 7, 2016
Draft Public/Agency Coordination Plan Provided for Agency Review	July 2016
Adopt Public/Agency Coordination Plan	July 2016
Scoping Summary Memorandum Complete	September 2016
Alternatives Evaluation Complete and Preferred Alternative Identified	October 2016
<i>Participating Agency Meeting re. Purpose and Need and Alternatives Evaluation</i>	September 2016
Preparation of DEIS	Fall 2016 – Summer 2017
<i>Cooperating and Participating Agency Review of EIS Methodologies</i>	August 2016²
Preparation of DEIS	October 2016 – June 2017
<i>Cooperating Agency Review of Administrative DEIS (30 day comment period)</i>	May 2017
<i>Participating Agency Meeting re: DEIS Analyses</i>	May 2017
DEIS Completed; Publish Draft EIS Notice of Availability	June 2017
Preparation of FEIS/ROD	Summer 2017 – Spring 2018
DEIS Public Comment Period (45 days)	Summer 2017
DEIS Public Hearings (in NY and NJ)	Summer 2017
<i>Agency Briefing After Close of DEIS Public Comment Period</i>	Fall 2017
<i>Cooperating Agency Review of Administrative FEIS</i>	Winter 2017
<i>Participating Agency Meeting re: FEIS Conclusions</i>	Winter 2017
Completion of Section 106	March 2018
Combined FEIS/ROD Complete	March 2018
Project Permitting	
Completion of permits, licenses, or approvals	March 2018 – Fall/Winter 2018
Notes:	
DEIS = Draft Environmental Impact Statement. FEIS = Final Environmental Impact Statement. ROD = Record of Decision.	
^{1.} A more detailed schedule specific to the permitting process will be developed separately from this schedule of NEPA milestones.	
^{2.} Methodology Reports will be made available the Cooperating and Participating agencies in the first week of August for a minimum 30-day review period.	

Chapter 4: Agency Coordination and Public Involvement

4.1 COOPERATING AND PARTICIPATING AGENCY COORDINATION

FRA and NJ TRANSIT will collaborate with cooperating and participating agencies in defining the Project's purpose and need, range of alternatives, and methodologies for documenting environmental conditions, assessing impacts, and use in supporting future permit applications. While consensus is not required in the development of impact assessment methodologies, FRA and NJ TRANSIT must consider the views of the agencies with relevant interests before making a decision on a particular methodology. Well documented, widely accepted methodologies, such as those for noise impact assessment and Section 106 (historic preservation) review, are anticipated to require minimal collaboration. After collaboration has taken place, FRA and NJ TRANSIT will make the decision on the methodology and level of detail to be used.

The agencies will be notified of the availability of the key Project documents, including the Scoping Report, Alternatives Evaluation Screening, DEIS, and FEIS/ROD, and given appropriate comment opportunities. After release and circulation of a DEIS for public comment, FRA intends to issue a single document that consists of the FEIS and ROD under 23 U.S.C. 139(n)(2) unless it determines the statutory criteria or practicability considerations preclude issuing a combined document. Following issuance of the FEIS/ROD, the appropriate agencies will be consulted to complete any necessary permits for the Project.

4.2 SECTION 106 CONSULTATION

Section 106 of the National Historic Preservation Act (36 CFR Part 800) requires Federal agencies to take into account the effects of their undertakings on historic properties that are listed or meet the eligibility criteria for listing in the National Register of Historic Places. The Section 106 process has a specific public involvement component. In particular, regulations require that the Federal agency (FRA), in consultation with the SHPO (in this case, the New Jersey and New York SHPO) and Tribal Historic Preservation Offices (THPOs)) as applicable, identify appropriate points for seeking public input and for notifying the public of the proposed actions associated with the Project. The regulations also require that the Federal agency seek and consider the views of the THPOs, SHPOs, and the public in a manner that reflects the nature and complexity of the project and its effects on historic properties. Public outreach for purposes of NEPA can be used to satisfy the public involvement requirements under Section 106, as long as the NEPA document contains adequate information about the project's effects on historic properties. At a minimum for this Proposed Action, the public will be given the opportunity to provide FRA with comments on the Section 106 process during the public comment period on the DEIS.

Members of the public with a demonstrated interest in the Project (due to the nature of their legal or economic relation to the undertaking or affected properties, or their concern with the undertaking's effects on historic properties) may participate as Section 106 Consulting Parties. At the scoping meetings held on May 17, 2016, and May 19, 2016, a presentation board specific to Section 106 was staffed and a Section 106 sign-in sheet was made available. Between the two meetings, three members of the public indicated their interest in participating in the Section 106 process.

In early May 2016, FRA initiated consultation with the NJHPO and NYSHPO. In addition, FRA sent letters to Federally recognized Native American tribes to initiate Government-to-Government consultation and provide notice of the public scoping meetings. **Table 4** lists the Federally Recognized Native American

Tribal Governments invited to participate in the coordination process for the Hudson Tunnel Project and each Tribal Government's contact.

Table 4
Native American Tribal Governments
Invited to Participate in the Coordination Process

Native American Tribal Government	Contact
Delaware Nation	Ms. Nekole Alligood, Tribal Historic Preservation Officer Mr. Jason Ross, Section 106 Manager
Delaware Tribe	Ms. Blair Fink and Ms. Susan Bachor Historic Preservation Representatives
Delaware Tribe of Indians, Oklahoma	Mr. Chester Brooks Chief
Shinnecock Indian Nation	Daniel S. Collins, Sr., Chairperson Ms. Marguerite A. Smith, Esq., Office of Tribal Trustees/Legal
Stockbridge-Munsee Community of Mohican Indians of Wisconsin	Ms. Sherry White, Tribal Historic Preservation Officer Ms. Bonney Hartley, THPO-New York Office

FRA will also write to State-recognized tribal organizations, public agencies, preservation groups, and other stakeholders to invite them to participate as Consulting Parties.

Copies of *A Citizen's Guide to Section 106 Review*, published by the Advisory Council on Historic Preservation (ACHP), and other information about the Section 106 process were made available at the scoping meetings and will be available at future public meetings and on the Project website.

FRA and NJ TRANSIT will continue to coordinate to identify, accept, and notify interested parties of their status as Section 106 Consulting Parties. Information presented to the Consulting Parties will include the results of the historic and archaeological studies, as well as any potential effects to historic resources within the study area. The Consulting Parties will have the opportunity to comment on the identification and evaluation of historic properties, provide their views on effects to these properties and participate in the consideration of measures to avoid, minimize, or mitigate adverse effects on identified historic properties.

4.3 SECTION 4(f) COORDINATION

In accordance with 23 CFR § 774.5, FRA must provide opportunities for coordination and comment to the official(s) with jurisdiction over any Section 4(f) resource that may be affected by the Project as well as to the U.S. Department of the Interior (DOI), and as appropriate, the Department of Agriculture and the Department of Housing and Urban Development. Resources protected under Section 4(f) include public parks, wildlife refuges, and historic resources. Section 4(f) historic sites, parks, and wildlife refuge properties will be identified through the Section 106 process and NEPA process, in consultation with NJDEP (Green Acres), NJSEA, NJHPO, NYSHPO, and any other relevant Consulting Parties or resource agencies. The public is provided an opportunity to review and comment on the Project's Section 4(f) evaluation in coordination with the NEPA public review periods.

4.4 ENVIRONMENTAL JUSTICE OUTREACH

Executive Order (EO) 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, dated February 11, 1994, requires consideration of whether a proposed action would disproportionately affect minority or low-income groups (59 Fed Reg. 7629 [1994]). An environmental justice analysis will be prepared for the Project to identify and address disproportionate adverse impacts to environmental justice populations and to ensure that environmental justice populations are targeted in public outreach efforts throughout the life of the Project (during and after the NEPA process).

In addition to EO 12898, Federal concerns for nondiscrimination under Title VI of the Civil Rights Act of 1964 are applicable under the environmental justice process, and recipients of Federal aid must certify nondiscrimination on the basis of race, color, or national origin. Title VI specifically states that “no person in the United States shall on the ground of race, color, or national origin be excluded from participation in, denied benefits of, or subjected to discrimination under any program or activity receiving Federal financial assistance.”

EO 12898 also requires Federal agencies to ensure public participation from communities with substantial minority or low-income populations. Each Federal agency has developed a strategy to address environmental justice, with the Council on Environmental Quality (CEQ) responsible for oversight and coordination. The environmental justice analysis for the Hudson Tunnel Project follows the guidance and methodologies recommended in CEQ’s Environmental Justice Guidelines under the National Environmental Policy Act (December 1997), the USDOT’s Final Order 5610.2(a) on Environmental Justice (April 1997 and updated May 2012), the FTA’s Environmental Justice Policy Guidance for Federal Transit Administration Recipients, Circular 4703.1, effective August 15, 2012, and relevant guidance from the States of New Jersey and New York.

Minority populations covered by the Executive Order include Native American or Alaskan Native, Hawaiian or Pacific Islander, Asian, Black and not of Hispanic origin, Hispanic, and populations of two or more races. Minority populations should be identified where either: 1) the minority population of the affected area exceeds 50 percent, or 2) the minority population percentage of the affected area is meaningfully greater than the minority population percentage in the general population or other appropriate unit of geographic analysis.

Low-income populations are any readily identifiable group of low-income persons who live in geographic proximity, and, if circumstances warrant, geographically dispersed/transient persons who will be similarly affected by a proposed FRA program, policy, or activity. Low-income is defined as a person whose median household income is at or below the Department of Health and Human Services poverty guidelines.

It is the intent of the EIS process for this Project to ensure that stakeholders are provided opportunities to be heard and to participate meaningfully from the outset of the Project and throughout all phases of Project development. Preliminary research has identified environmental justice communities in the vicinity of the Project’s proposed alignment. For this environmental review, the local environmental justice communities within the Project area in Hudson County and New York County will be included in the public outreach process, to ensure that they can participate meaningfully in review of the Project. As a general rule, the following principles will be adopted to support involvement of these local environmental justice communities in the Project area:

- Documents, notices, and meetings will be made concise, understandable, and readily accessible to the public;
- When appropriate, notices and meeting materials will be provided in both English and Spanish, as Spanish is the second most common language in the study area, and is spoken by many of the members of the environmental justice communities in the study area;
- The Project website is available in multiple languages in addition to English;
- Informational material will be made available through a variety of outlets;
- All public events will be scheduled at convenient and accessible locations and times; and
- Various community leaders and groups will be contacted to increase public participation of constituent communities.

4.5 LIMITED ENGLISH PROFICIENCY (LEP) OUTREACH

Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English are considered “limited English proficient,” or LEP. Federal laws concerning language access rights and obligations include Title VI of the Civil Rights Act of 1964 and Executive Order 13166. Executive Order 13166, “Improving Access to Services for Persons with Limited

English Proficiency,” was signed on August 11, 2000 and states that people who are LEP should have meaningful access to Federally conducted and funded programs and activities. The Executive Order requires Federal agencies to examine the services they provide, identify any need for services to those with limited English proficiency, and develop and implement a system to provide those services so LEP persons can have meaningful access to them.

The Hudson Tunnel Project is taking steps to provide meaningful access to those LEP individuals expected to be most regularly encountered. This includes providing Project materials and meeting notices in Spanish, advertising accommodation for LEP individuals, including the ability for LEP individuals to have translation services available at public meetings upon advance request. Language interpretation and translation needs in the Project area predominantly involve Spanish speaking individuals. In addition, instantaneous web-translation of the Project website is available on-line in multiple languages.

4.6 AMERICANS WITH DISABILITIES ACT COMPLIANCE

Public meetings will be held in locations that comply with the Americans with Disabilities Act (ADA) to assure that stakeholders who are disabled or elderly may have convenient access to meetings. Sign language interpreters will be available at formal public meetings, and other meetings, if requested. Public notices announcing public meetings will provide instructions for requesting other special accommodations. The Project website has been designed to accommodate people with visual impairments (i.e., adjustable text size, compatibility with screen readers).

4.7 AGENCY INVOLVEMENT ACTIVITIES

The following meetings and forums will be held to engage agency participation in the Project.

- Federal Agency Task Force. FRA will coordinate with Federal cooperating and participating agencies, as appropriate, at the headquarters and regional staff level to participate in a Hudson Tunnel Federal Agency Task Force. The purpose of the Task Force is to engage Federal agencies with a role in the environmental compliance and/or permitting processes for the Project. FRA will meet with these agencies (via the Task Force) early and regularly throughout the Project’s life in order that issues that may arise during the compliance and permitting processes can be identified and addressed/resolved in a timely and efficient manner. A kick-off meeting will be scheduled for August 2016.
- Cooperating and Participating Agency Coordination. Regular coordination with the Cooperating and Participating Agencies will occur through a combination of periodic meetings, conference calls, and/or e-newsletter updates. See Section 3, above.

4.8 PUBLIC INVOLVEMENT ACTIVITIES

The Project will include an open, participatory environmental review process. FRA and NJ TRANSIT will inform and solicit early and continued feedback from the public; encourage open discussion of Project details and issues; and provide opportunities for comments and questions.

The goals of the public involvement plan for the Project are as follows:

- To provide an opportunity and a mechanism for public participants to engage in the development of the EIS and give relevant input to the Project.
- To focus public input in a structured manner that will allow decisions to be made with the maximum benefit from public involvement.
- To ensure that elected officials, agencies, stakeholders, and the general public are adequately informed about the Project and its implications for their communities, and to identify potential issues so that they can be addressed and resolved before the completion of the EIS process.

4.8.1 COMMUNICATING WITH THE PUBLIC

The public involvement plan will include a number of different outreach tools and activities to involve the public. These will include the following:

- **Permitting Dashboard:** The Hudson Tunnel Project will be added to the Permitting Dashboard for Federal Infrastructure Projects (<https://www.permits.performance.gov/>), an online tool for Federal agencies, project developers and interested members of the public to track the Federal government's permitting and review process for large or complex infrastructure projects.
- **Website:** A website has been developed for the Project (www.hudsonstunnelproject.com). This website will include information on the EIS process, Project activities and progress, public participation opportunities, and Project contact information. Project documents will be available for download and review. The website will be kept up to date with information on the Project alternatives, environmental review, and current and previous Project documentation, and will provide a link to allow people to sign up for the mailing list and submit comments electronically. The website has been designed to include a section where visitors can sign up for the Project mailing list (to be included in future mailings and email blasts) and a web form to submit their comments and questions. Information about the Project is also available on FRA's website at www.fra.dot.gov/Page/P0214.
- **Social Media:** A Facebook page is under development for the Project (@hudsonstunnel). This social media page will include basic information on the Project, and will provide links to the Project website, as well as information about public participation opportunities, Project contact information, and how people can submit comments or sign up for the Project mailing list. Project information will also be disseminated via Twitter @hudsonstunnel.
- **Mailing List:** NJ TRANSIT has developed a mailing list of elected officials, public agency contacts, stakeholders and community groups, and members of the public with an interest in the Proposed Action. The mailing list will be used to distribute meeting announcements and information about the Project. Where email addresses are available, announcements will be distributed electronically. The mailing list will be updated throughout the life of the Project and used to disseminate Project information and public involvement opportunities. The mailing list will be updated to include new contacts obtained from meetings and from the Project website.
- **Project Fact Sheets and Newsletters:** Project fact sheets (in both English and Spanish) and newsletters will be developed at key milestones for the Project, for the purpose of educating the general public about the EIS process, providing information on the Project as it progresses, announcing public participation opportunities, and providing Project team contact information.
- **Email Blasts:** Email blasts will be used to inform the public about upcoming meetings and significant stages in the EIS development. The first email blast was sent on May 2, 2016 to over 500 contacts to inform people about the public scoping meetings. Future email blasts will be used for future meeting updates and Project activities, and to disseminate newsletters electronically.
- **Local government and stakeholder briefings:** The lead agencies will brief the appropriate local government entities and stakeholders to provide information, answer questions, and receive feedback.
- **Public comment periods at specific NEPA milestones:** NEPA requires public comment periods to provide an opportunity for public input at two critical points during the environmental review: during the scoping period and when the Draft EIS is complete. During both those periods, public meetings will be held and the public will have an opportunity to provide comments orally or in writing.
- **Other stakeholder outreach:** Project staff are available to meet with any interested parties. The communications detailed above will indicate staff availability for meetings.

4.8.2 PUBLIC MEETINGS

Opportunities for public input throughout the Project will include the following:

- **Public Scoping Meetings.** Although NEPA does not explicitly require that a scoping meeting be held, scoping meetings were held for this Project in New York City and New Jersey on May 17, 2016,

and May 19, 2016, respectively. The purpose of the meetings was to gather input and feedback on the scoping document, which included: the study's draft purpose and need statement; goals and objectives; potential alternatives for consideration; issues to be addressed in the environmental review; and methodologies to be used to evaluate impacts.

The scoping meetings included an open house where Project staff were available to talk informally about the Project with interested members of the public. Project staff made a presentation about the Project. The public was invited to offer oral testimony privately to a stenographer that was available at each meeting for that purpose and to raise any questions or comments that they might have. The oral testimony was recorded by a stenographer. FRA and NJ TRANSIT did not respond to the oral testimony at the meeting, and conversations with Project staff during the open house portion of the meeting will not be reflected in the Project record.

- **Public Hearings.** Following publication of the Draft EIS, there will be public hearings in New Jersey and New York. Like the scoping meetings, the public hearing will include an open house, a presentation, and an opportunity for oral testimony. The oral testimony will be recorded by a stenographer. FRA and NJ TRANSIT will not respond to the oral testimony at the meeting, and conversations with Project staff during the open house portion of the meeting will not be reflected in the Project record.
- **Public Information Open Houses.** In between the public scoping comment and the Draft EIS comment period, there will be open houses to keep the public informed about the progress of the Project. Two rounds of open houses are anticipated in New Jersey and New York City. One will be held when the preliminary alternative(s) for detailed environmental review is refined, and the second will be held when the impacts of those preliminary alternatives have been evaluated prior to completion of the Draft EIS. The open houses will include display boards, informal discussions between Project team members and meeting attendees, and a presentation.

The Project website, meeting flyers, and the Project Facebook page will be used to publicize all public meetings and information open houses. The flyers will be in English and Spanish, and will be mailed or emailed to the Project mailing list. Flyers will also be distributed to libraries and community centers. In addition, meetings will be advertised in area newspapers (in English, with Spanish ads in corresponding local area papers) and on the Project website.

The public meetings and information open houses will be accessible to persons with disabilities and persons with LEP. Translation will be provided in Spanish. Special services, such as an interpreter or sign language services, will also be available upon request. Public notices announcing these meetings will provide instructions for requesting these services.

4.8.3 STAKEHOLDER INVOLVEMENT ACTIVITIES

FRA and NJ TRANSIT will seek out the involvement of community leaders, elected officials, and other stakeholders in the Project area. It is hoped that these individuals and organizations will assist FRA and NJ TRANSIT in understanding and addressing local concerns, including those of the environmental justice communities that could be affected by the Project. Stakeholder involvement activities will include:

- **Elected Officials Briefings.** Briefings will be held with elected officials and other key stakeholders before such events as the public scoping meetings and DEIS publication. These will be informal meetings where discussions can be held.
- **Section 106 Consulting Party Participation.** See discussion above (Section 4.2).
- **Environmental Justice Outreach.** The Project will include outreach efforts specifically targeted to reach environmental justice communities located in the Project area in Project development.
- **Stakeholder Meetings.** Meetings may be held with individuals or small groups to discuss specific Project considerations.

4.8.4 PROJECT DOCUMENT REPOSITORIES

Local document repositories enable members of the public to examine Project documents, including EIS documents, and other informational materials. The document repositories include agency and municipal offices, and public libraries. **Table 5** lists the names and addresses of the Project's document repositories.

Table 5
Project Document Repositories

Attention	Affiliation	Address	City	State
Clerk	Hoboken City Hall	94 Washington St.	Hoboken	NJ
Branch Librarian	Hoboken Public Library	500 Park Ave.	Hoboken	NJ
Clerk	Hudson County Brennan Court House Building	583 Newark Ave.	Jersey City	NJ
Branch Librarian	Jack Brause Library	11 W 42nd St., #510	New York	NY
Clerk	Jersey City - City Office	2555 John F. Kennedy Blvd.	Jersey City	NJ
Branch Librarian	Jersey City Main Library	472 Jersey Ave.	Jersey City	NJ
Clerk	Manhattan Community Board 4	330 West 42nd St., 26th Floor	New York	NY
Clerk	Manhattan Community Board 5	450 Fashion Ave., #2109	New York	NY
Branch Librarian	Mid-Manhattan Library	455 Fifth Ave.	New York	NY
Branch Librarian	North Bergen Library	8411 Bergenline Ave.	North Bergen	NJ
Clerk	North Bergen Town Hall	4233 Kennedy Blvd.	North Bergen	NJ
Branch Librarian	NYPL Columbus Branch Library	742 10th Ave.	New York	NY
Branch Librarian	Secaucus Main Library	1379 Paterson Plank Rd.	Secaucus	NJ
Clerk	Town of Secaucus Town Hall	1203 Paterson Plank Rd.	Secaucus	NJ
Branch Librarian	Union City Library	324 43rd St.	Union City	NJ
Clerk	Union City Town Hall	3715 Palisade Ave.	Union City	NJ
Clerk	Weehawken Town Hall	400 Park Ave.	Weehawken	NJ
Branch Librarian	Weehawken Township Library	49 Hauxhurst Ave.	Weehawken	NJ

Chapter 5: Revision History

Revisions to this plan are documented in this section.

Revision Number	Date	Summary of Revisions
1	8/1/16	Updates to Tables 1 and 2 and additional edits based on feedback from cooperating and participating agencies. FRA provided a summary of how comments on the July 8, 2016 Draft Public/Agency Coordination Plan were incorporated to cooperating and participating agencies.
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